

By:



H.B. No. 2903

A BILL TO BE ENTITLED

AN ACT

relating to certain sanitation requirements applicable to
barbering and cosmetology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.256(a), Occupations Code, is
amended to read as follows:

(a) A person holding a manicurist license may perform only
the practice of cosmetology defined in Section 1602.002(a)(10) or
(11) [~~1602.002(9) or (10)~~].

SECTION 2. Section 1603.352, Occupations Code, is amended
to read as follows:

Sec. 1603.352. SANITATION REQUIREMENTS FOR CERTAIN
SERVICES. (a) A person who holds a license, certificate, or
permit issued under this chapter, Chapter 1601, or Chapter 1602 and
who performs a barbering service described by Section
1601.002(1)(E) or (F) or a cosmetology service described by Section
1602.002(a)(10) or (11) [~~1602.002(10) or (11)~~]:

(1) shall, before performing the service, disinfect
and sterilize with an autoclave or a dry heat, ultraviolet, or other
department-approved sterilizer each nondisposable instrument used
to perform the service; and

(2) may use a disposable supply or instrument only if
that supply or instrument is purchased at the location where the
service is performed or provided by the person on whom the service

1 is performed.

2 (b) The owner or manager of a barber shop, barber school,
3 beauty shop, specialty shop, or beauty culture school is
4 responsible for providing an autoclave or a dry heat, ultraviolet,
5 or other department-approved sterilizer for use in the shop or
6 school as required by Subsection (a). An autoclave or a dry heat,
7 ultraviolet, or other department-approved sterilizer used as
8 required by Subsection (a) must be:

9 (1) registered and listed with the federal Food and
10 Drug Administration; and

11 (2) used in accordance with the manufacturer's
12 instructions.

13 SECTION 3. Sections 1601.506 and 1602.408, Occupations
14 Code, are repealed.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2007.

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MAR - 7 2007

Filed with the Chief Clerk

MAR 14 2007

Licensing & Administrative Procedures

Read first time and referred to Committee on

Reported favorably (as amended)
(as substituted)

Sent to Committee on (Calendars)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)